

**UNITED STATES OF AMERICA  
JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**

**CHAIRMAN:**

Judge Wm. Terrell Hodges  
United States District Court  
Middle District of Florida

**MEMBERS:**

Judge John F. Keenan  
United States District Court  
Southern District of New York

Judge Bruce M. Selya  
United States Court of Appeals  
First Circuit

Judge D. Lowell Jensen  
United States District Court  
Northern District of California

Judge J. Frederick Motz  
United States District Court  
District of Maryland

Judge Robert L. Miller, Jr.  
United States District Court  
Northern District of Indiana

Judge Kathryn H. Vratil  
United States District Court  
District of Kansas

**DIRECT REPLY TO:**

Michael J. Beck  
Clerk of the Panel  
One Columbus Circle, NE  
Thurgood Marshall Federal  
Judiciary Building  
Room G-255, North Lobby  
Washington, D.C. 20002

Telephone: [202] 502-2800  
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<http://www.jpml.uscourts.gov>

February 6, 2004

Tony Anastas, Clerk  
2300 John Joseph Moakley U.S. Courthouse  
One Courthouse Way  
Boston, MA 02210-3002

Re: MDL-1354 -- In re Citigroup, Inc., Capital Accumulation Plan Litigation

*Richard H. Gilmore v. Citigroup, Inc., et al.*, N.D. Georgia, C.A. No. 1:03-3223

Dear Mr. Anastas:

1:04cv10273 REK *May 2004 - Becker*

I am enclosing one certified and additional copies of a conditional transfer order filed by the Panel in the above-captioned action on January 21, 2004. Section 1407 requires that the transferee clerk "...transmit a certified copy of the Panel's order to transfer to the clerk of the district court from which the action is being transferred." As stipulated in Rule 7.4(a) of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), transmittal of the order has been stayed 15 days to give any party an opportunity to oppose the transfer if they wish to do so. The 15-day period has now elapsed, no opposition was received, and the order is directed to you for filing.

Plaintiff's counsel is listed below.

**RICHARD H. GILMORE**

Christi A. Cannon  
Holzer, Holzer & Cannon, LLC  
1117 Perimeter Center West  
Suite E107  
Atlanta, GA 30338

Very truly,

Michael J. Beck  
Clerk of the Panel

By *Jeresa Bishop*  
Deputy Clerk

Attachment

cc: Transferee Judge: Judge Robert E. Keeton  
Transferor Judge: Judge Thomas W. Thrash, Jr.  
Transferor Clerk: Luther D. Thomas

JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION

JAN 21 2004

**DOCKET NO. 1354**

FILED  
CLERK'S OFFICE

**BEFORE THE JUDICIAL PANEL ON MULTIDISTRICT LITIGATION**  
**IN RE CITIGROUP, INC., CAPITAL ACCUMULATION PLAN LITIGATION**

*Richard H. Gilmore v. Citigroup, Inc., et al.*, N.D. Georgia, C.A. No. 1:03-3223

**CONDITIONAL TRANSFER ORDER (CTO-9)**

On August 29, 2000, the Panel transferred four civil actions to the United States District Court for the District of Massachusetts for coordinated or consolidated pretrial proceedings pursuant to 28 U.S.C. § 1407. Since that time, seven additional actions have been transferred to the District of Massachusetts. With the consent of that court, all such actions have been assigned to the Honorable Robert E. Keeton.

It appears that the action on this conditional transfer order involves questions of fact which are common to the actions previously transferred to the District of Massachusetts and assigned to Judge Keeton.

Pursuant to Rule 7.4 of the Rules of Procedure of the Judicial Panel on Multidistrict Litigation, 199 F.R.D. 425, 435-36 (2001), this action is transferred under 28 U.S.C. § 1407 to the District of Massachusetts for the reasons stated in the order of August 29, 2000, and, with the consent of that court, assigned to the Honorable Robert E. Keeton.

This order does not become effective until it is filed in the Office of the Clerk of the United States District Court for the District of Massachusetts. The transmittal of this order to said Clerk shall be stayed fifteen (15) days from the entry thereof and if any party files a notice of opposition with the Clerk of the Panel within this fifteen (15) day period, the stay will be continued until further order of the Panel.

FOR THE PANEL:

*Michael J. Beck*

Michael J. Beck  
Clerk of the Panel

Inasmuch as no objection is  
pending at this time, the  
stay is lifted.

FEB 3 2004

CLERK'S OFFICE  
JUDICIAL PANEL ON  
MULTIDISTRICT LITIGATION